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APPLICATION NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTY. DOCKET NO.
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EXAMINER

IM22/1003

WILLIAM H. DIPPERT, ESQ
COWAN, LIEBOWITZ AND LATMAN, P.C.
1133 AVENUE OF THE AMERICAS
NEW YORK NY 10036-6799

ART UNIT	PAPER NUMBER
1753	11

DATE MAILED: 10/03/00

This is a communication from the examiner in charge of your application.
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OFFICE ACTION SUMMARY

- ☐ Responsive to communication(s) filed on _____
- ☐ This action is **FINAL**.
- ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 D.C. 11; 453 O.G. 213.

A shortened statutory period for response to this action is set to expire 3 month(s), or thirty days, whichever is longer, from the mailing date of this communication. Failure to respond within the period for response will cause the application to become abandoned. (35 U.S.C. § 133). Extensions of time may be obtained under the provisions of 37 CFR 1.136(a).

Disposition of Claims

- ☒ Claim(s) 53-76 is/are pending in the application.
- Of the above, claim(s) 53, 59-60, 64, 67, 68, 72 is/are withdrawn from consideration.
- ☒ Claim(s) 54-58, 61-63, 65, 66, 69-71, 73-76 is/are allowed.
- ☐ Claim(s) _____ is/are rejected.
- ☐ Claim(s) _____ is/are objected to.
- ☐ Claim(s) _____ are subject to restriction or election requirement.

Application Papers

- ☐ See the attached Notice of Draftsperson's Patent Drawing Review, PTO-948.
- ☐ The drawing(s) filed on _____ is/are objected to by the Examiner.
- ☐ The proposed drawing correction, filed on _____ is ☐ approved ☐ disapproved.
- ☐ The specification is objected to by the Examiner.
- ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. § 119

- ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d).
- ☐ All ☐ Some* ☐ None of the CERTIFIED copies of the priority documents have been
- ☐ received.
- ☐ received in Application No. (Series Code/Serial Number) _____
- ☐ received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

*Certified copies not received: _____

- ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e).

Attachment(s)

- ☒ Notice of Reference Cited, PTO-892
- ☐ Information Disclosure Statement(s), PTO-1449, Paper No(s) _____
- ☐ Interview Summary, PTO-413
- ☐ Notice of Draftsperson's Patent Drawing Review, PTO-948
- ☐ Notice of Informal Patent Application, PTO-152

--SEE OFFICE ACTION ON THE FOLLOWING PAGES--

Art Unit 1753

1. Claims 54-58, 61-63, 65, 66, 69-71 and 73-76 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Ray et al. in view of Chou et al. '7151. Applicant's arguments have been carefully considered but are deemed not persuasive in view of the following new references. Ray et al. teaches a toner having a metal flake and applicant's attention is directed to the end of column 7 and the beginning of column 8. Chou et al. teaches a developer with metal particles and does not specify shape or size however teaches the physical properties of such metal particles in a toner composition in controlling physical properties useful in an electrostatic developer. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to utilize various known metal particles in a developer such as shown by Ray et al. in providing a developer for developing latent electrostatic images having metallic flakes in their composition.

2. Claim 53 was not cancelled in paper # 1

J. Goodrow:cdc

(703) 308-0661

October 2, 2000

JK
JOHN GOODROW
PRIMARY EXAMINER
ART UNIT 157